



**MINUTES**  
**PLAN COMMISSION**  
**May 19, 2015**

Plan Commission Members Present: Mayor Steve Arnold, Ed Kinney, Carol Poole, Tony McGrath, Rachel Lee

Others Present: Thomas Hovel – City Planner/Zoning Administrator, Susan Badtke – Community Planner

**1. Call to order and approval of minutes of 4/21/2015.**

Chair Arnold called the meeting to order at 7:03 p.m.

Motion by Kinney, second by Poole, to approve the minutes of 4/21/2015 was carried unanimously.

**2. Public Appearances – non agenda items – None.**

**3. Agenda Review – No changes.**

**4. Public Hearing regarding the proposed project plan, boundaries, and creation of Tax Incremental District No. 9 (See the Public Hearing Notice which was published on May 5, 2015 and May 12, 2015).**

Chair Arnold opened the public hearing.

Tony Fox, 9015 Bentley Green Verona, representing Sub-Zero Group, Inc., spoke in support of the proposed TID and provided a presentation of the Subzero Facilities and the proposed expansion.

Clinton Collins, 4717 Hammersley Road Madison, representing Sub-Zero Group, Inc., registered in support of the proposed TID and was available to answer questions.

Angela Kinderman, 5540 Research Park Drive Fitchburg, representing the Fitchburg Chamber of Commerce, registered in support of the TID.

Dorothy Krause, 2105 Apache Drive Fitchburg, District 1 Alder, registered in support.

Shawn Pfaff, 5205 Day Lily Place Fitchburg, spoke in support of the request and spoke on other issues.

The Mayor also identified a letter from David Phillips, Director of the Dane County Office of Economic and Workforce Development, who encouraged the Commission's approval of the creation of TID 9 noting that it will pay dividends not just to Fitchburg but to Dane County as well.

Phil Sveum, 5500 E Chery Pkwy Fitchburg, registered in support.

Chair Arnold closed the public hearing.

## **5. Consideration of “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 9, City of Fitchburg, Wisconsin”.**

Jim Mann, Ehlers Associates, walked the Commission through the Project Plan and called out the proposed improvements. He stated that the main reason why the investment is high and the assessment is low is due to the manufacturing equipment. He noted that the expansion is proposed to create 300 jobs over the next several years which could also mean 300 consumers making purchases in the City.

Tony McGrath questioned whether the Plan met all of the requirements. Mann responded yes, but noted that additional due diligence would be done to make sure that the City’s investment meets the “but for” text, prior to the Council’s creation of the district.

Ed Kinney pointed out a large gap in the funding between the TIF and what funding is needed for the project. Kate Crowley of Baker Tilley, who is a consultant to Sub-Zero, stated she is working on the cost analysis for this project. She stated that the 6.7 million in infrastructure costs cannot all come from TIF so they have applications into WEDA and DOT for additional funding; conversations with both have been positive to this point.

City Planner Tom Hovel stated that the Joint Review Board met and appointed its citizen member. They will meet again on June 16 to consider the formal TID request after the Council action on June 9.

Motion by Lee, second by Poole, to approve Plan Commission Resolution PCR-02-15.

Carol Poole commented that she wrote a letter to the Fitchburg Star in support of this project as it is an extremely important project for the City. She urged the Commission to support the resolution.

Chair Steve Arnold stated that while he had reservations about the North Stoner Prairie Neighborhood, he has always supported this area that is designated north of the proposed east/west road as a suitable and valuable area for the expansion of Sub-Zero and that he supports the creation of TID 9.

McGrath stated that Wolf/Subzero is a marquee employer and appreciates the City being in play for this expansion.

Chair Arnold stated that the benefits of this expansion extend throughout the region and the state and it is gratifying that Dane County is supporting the project and that two state agencies are poised to help the project come to completion.

Motion to approve PCR-02-15 was carried unanimously.

## **6. Public hearing and consideration of Ordinance 2015-O-12, An Ordinance Amending Chapter 23 to Amend Article 1 Table 2(g), Article 5 Section 5.6.2(f)(vi), Article 5 Section 5.6.2(g) and Article 5 Table 21.**

**[Proposed amendments include T4 Single-family Edgeyard building Frontage Buildout reduction, Civic Spaces as public or private, setbacks with bicycle or pedestrian easement and changes to the use table.]**

Chair Arnold opened the public hearing.

Don Esposito, 4868 High Crossing Madison, representing Neumann Companies/Tim O'Brien Homes, registered in support of the ordinance amendment and was available to answer questions.

Chair Arnold closed the public hearing.

City Planner Tom Hovel provided a staff report and walked the Commission through the proposed changes to the SmartCode. He stated that the main amendment deals with frontage buildout, which was discussed with Susan Henderson who didn’t have a problem with the change.

Carol Poole questioned whether you can have a tandem garage in SmartCode; Hovel responded yes.

Motion by Poole, second by McGrath, to recommend approval of Ordinance 2015-O-12.

Arnold stated that he finds the proposed amendments useful and narrow to handle situations without opening up a can of unintended consequences. McGrath commented that the Commission will likely see several changes to the SmartCode over the next several years.

Carol Poole questioned whether the Commission would still be having a SmartCode workshop; Hovel stated yes but that staff is waiting for appointment of the new commissioners.

Motion to recommend approval was carried unanimously.

**7. Public hearing and consideration of rezone and conditional use permit request RZ/CU-2056-15, by Samina Khan, to rezone property from the B-G (General Business) district to the B-P (Professional Office) district, and conditional use permits to allow for a personal training/health club (existing) and daycare, at 6200 Nesbitt Road.**

Chair Arnold opened the public hearing.

Kent Yan, 2801 International Lane Suite 216 Madison, representing Plato Commercial Real Estate LLC, spoke in support of the requests and was available to answer questions.

Zafeer Dim, 2903 Richardson Street Fitchburg, registered in support of the requests.

Chair Arnold closed the public hearing.

City Planner Tom Hovel provided the staff report noting that the requests include rezoning the property and then conditional use permits for a daycare and health club facility. He stated that the main concern is parking, which they have addressed by adding on additional parking stall on-site and also an agreement to leave some of the stalls at Jung Seed Co.

Motion by Poole, second by Kinney, to recommend approval of RZ/CU-2056-15 with the following conditions:

*Rezone Conditions:*

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.

*Conditional Use Permit:*

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.  
Approval is based on the submitted application materials.
- 2.) The rezoning portion of RZ/CU-2056-15 is approved by the Common Council.

Tony McGrath stated that these approvals are not changing the terms for Orange Shoe Gym.

Chair Arnold commented that he is glad we can accommodate the applicant.

Motion carried unanimously.

**8. Architectural Design Review request by Paul Reines to add an additional parking stall at 6200 Nesbitt Road.**

Motion by Kinney, second by McGrath, to approve ADR with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.  
Approval is based on the submitted application materials.
- 2.) Parking stall and proposed walkway

Motion carried unanimously.

**9. Public hearing and consideration of rezone request, RZ-2057-15, by Craig Raddatz of Fiduciary Real Estate Development, to rezone from the PDD-GIP (Planned Development District – General Implementation Plan) to the PDD-SIP (Planned Development District – Specific Implementation Plan) district, to allow for site and structural development of 152 multi-family dwelling units on proposed Lot 15 of Quarry Vista Plat.**

Chair Arnold opened the public hearing.

Craig Raddatz, 789 N Water Street Milwaukee, representing Fiduciary Real Estate Development, spoke in support of the request noting that they had received unanimous approved in 2014 of their GIP and are now requesting SIP approval.

Joe Lee and Leah Teske, team members for the project, were also available for questions.

Phil Sveum, 5500 E Cheryl Pkwy Fitchburg, registered in support of this request.

Shawn Pfaff, 5205 Day Lily Place Fitchburg, registered in support of this request.

Tony McGrath questioned the plan with the water main. City Planner Tom Hovel noted that the Board of Public Works recommended approval to the Common Council.

Chair Arnold closed the public hearing.

City Planner Tom Hovel provided the staff memo noting that staff recommended approval based on a draft ordinance that was provided in the Commission packet.

Motion by McGrath, second by Kinney, to recommend approval of RZ-2057-15 with the following conditions:

- (A) PDD-SIP zoning is hereby granted in accord with submitted plans and responses dated May 6, 2015, which are hereby part of this ordinance, to allow the following:
  - 1. No other permit or approval is waived or deemed satisfied except for the approval herein provided.
  - 2. All Public Works items shall be addressed prior to issuance of any permit.
  - 3. No early start permit shall be issued for this site until aware of the Fitchrona Road Water Main bid is approved by the Fitchburg Common Council.
  - 4. Necessary public improvements shall be installed and accepted prior to any building construction, unless approvals are granted to allow early start under section 24-14(b) – (e). (An operable public water supply is one necessary condition under section 24.14.)
  - 5. Project is approved for 152 dwelling units in 3 structures per the submitted plans.
  - 6. Zoning standards shall follow those outlined in the report titled “Quarry Vista Apartment Homes Specific Implementation Plan – Amended May 6, 2015”.
  - 7. All park requirements and fees shall be satisfied prior to or with the execution of the Quarry Vista plat and subdivider agreement.
- (B) This ordinance shall take effect following its publication, or the consent of the property owner, whichever occurs last. However, in accord with section 22-596 of the zoning code, owners shall consent within 30 days of approval for the PDD-SIP zoning to take effect.
- (C) Recording and effective date of this SIP Ordinance shall not occur or take effect until after the recording of the Quarry Vista final plat.
- (D) Applicant shall pay cost of publication to avoid a two Council meeting approval process.

Motion was carried unanimously.

**10. Architectural Design Review request by Craig Raddatz of Fiduciary Real Estate Development for site and structural development of 152 multi-family dwelling units on proposed Lot 15 of Quarry Vista.**

Phil Sveum, 5500 E Cheryl Pkwy Fitchburg, registered in support of this request.

Shawn Pfaff, 5205 Day Lily Place Fitchburg, registered in support of this request.

Joe Lee of Joe Lee Associates provided an overview of the proposed site plan and architectural design perspectives. He stated that the building area of a traditional design and in some ways similar to the Vue but are distinctly different. There are three buildings and all will be three stories with underground parking.

Mayor Arnold pointed out that the bicycle rack shown in the design perspective was a wave rack, which is not recommended by the City's Bicycle and Pedestrian Plan. He suggested an inverted U of post and ring rack type.

Rachel Lee questioned whether there is an accessible entrance for each project. Joe Lee responded that every building must have an accessible entrance.

Some discussion was had on the color of the signs and whether they fit with the rest of the project.

City Planner Tom Hovel provided the staff report noting that staff recommended approval of the request with conditions.

Motion by Poole, second by Kinney, to approve ADR request with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) Approved is based on plans dated May 6, 2015.
- 3.) Subject to approval of rezoning request RZ-2057-15 by the Common Council.
- 4.) 80 dwelling units shall be occupied within the first six months of the first dwelling unit being occupied. Applicant understands this requirement. No building permit or permit to start shall be issued until status of water main construction is known, and then only after the developer has necessary approvals if construction is to proceed prior to water main improvement having been completed, accepted and operational.

Carol Poole and Tony McGrath commented that the buildings look great.

Motion carried unanimously.

**11. Architectural Design Review request by Dan Bertler of Supreme Structures for exterior modifications to the existing building at 5264 Verona Road, Lot 2 Willow Run.**

Dan Bertler, 2906 Marketplace Drive Fitchburg, representing MadPower, spoke in support of the request and was available to answer questions. He noted that the current owners of the facility would like to keep everything that is there but the arch and side window are structurally rotted out and require replacement.

Ed Kinney questioned the color of EIFS. Bertler responded that the intent is to maintain earthtone colors but they have not decided on a final color.

City Planner Tom Hovel provided the staff report noting that Alder Krause had pointed out that the access to the site will change with the Verona Road reconstruction. The applicant has stated they do not have money at this point in time to make changes to the Anton Drive side of the building but Hovel mentioned over time people might start making upgrades to the local street sides of buildings.

Motion by Poole, second by Lee, to approve ADR request with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approvals provided herein.

- 2.) Approval is based on submitted plans and materials.
- 3.) Color selection is subject to approval by planning staff.

Chair Arnold mentioned that there is a planning study planned for the Anton Drive area.

Carol Poole thanked the applicant for cleaning up the building and that the new use will be a good fit for the building and an improvement to the neighborhood.

Motion carried unanimously.

**12. Planning Department Report** - Nothing to report.

### **13. Announcements**

The next Plan Commission meeting is scheduled for June 16, 2015. Chair Arnold stated that he will not be able to attend the June meeting and asked Carol Poole to chair the June Plan Commission meeting.

### **14. Adjournment**

Motion by Poole, second by Kinney, to adjourn at 8:26 p.m. was carried unanimously.

Submitted By,  
Susan Badtke, Community Planner

*Approved June 16, 2015*